

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
WACO DIVISION

UNITED STATES OF AMERICA	§	
	§	
vs.	§	NO: WA:14-CR-00130(1)-ADA
	§	
(1) DANIEL LOPEZ	§	

**ORDER ACCEPTING REPORT AND RECOMMENDATION**  
**OF THE UNITED STATES MAGISTRATE JUDGE**

Before the court is the above styled and numbered cause. On December 23, 2024 the United States Probation Office filed a Petition For Warrant or Summons For Offender Under Supervision for Defendant (1) DANIEL LOPEZ, which alleged that Lopez violated a condition of his supervised release and recommended that Lopez's supervised release be revoked (Clerk's Document No. 25). A warrant issued and Lopez was arrested. On January 8, 2025, Lopez appeared before a United States Magistrate Judge, was ordered detained, and a revocation of supervised release hearing was set.

Lopez appeared before the magistrate judge on March 18, 2025, waived his right to a preliminary hearing and to be present before the United States District Judge at the time of modification of sentence, and consented to allocution before the magistrate judge. Following the hearing, the magistrate judge signed his report and recommendation on March 18, 2025, which provides that having carefully considered all of the arguments and evidence presented by the Government and Defendant, based on the original offense and the intervening conduct of Lopez, the magistrate judge

recommends that this court revoke Lopez supervised release and that Lopez be sentenced to imprisonment for THREE (3) months. Upon Defendant's release from custody, he shall be placed on a new term of supervised release, until May 15, 2025. This term of supervised release shall contain all of the conditions as imposed in Defendant's original term of supervised release, as well as the following requirement:

The defendant shall participate in the Location Monitoring Program for the term of supervised release, which will include remote location monitoring using Active Global Positioning Satellite (GPS) tracking. The defendant shall abide by the rules and regulations of the Participant Agreement Form. During this time, the defendant shall remain at the place of residence except for employment and other activities approved in advance by your probation officer. At the instruction of the probation officer, the defendant shall wear a transmitter and be required to carry a tracking device. The defendant shall pay for the costs of the program if financially able (Clerk's Document No. 46).

A party may serve and file specific, written objections to the proposed findings and recommendations of a magistrate judge within fourteen days after being served with a copy of the report and recommendation, and thereby secure a *de novo* review by the district court. *See* 28 U.S.C. § 636(b); Fed. R. Civ. P. 72(b). A party's failure to timely file written objections to the proposed findings, conclusions, and recommendation in a report and recommendation bars that party, except upon grounds

of plain error, from attacking on appeal the unobjected-to proposed factual findings and legal conclusions accepted by the district court. *Douglass v. United Services Auto Ass'n*, 79 F.3d1415 (5th Cir. 1996) (*en bane*). The parties in this cause were properly notified of the consequences of a failure to file objections.

On March 18, 2025, following the hearing on the motion to revoke supervised release, all parties signed a Waiver Of Fourteen Day Rule For Filing Objections To Report and Recommendation Of United States Magistrate Judge (Clerk's Document No. 45). The court, having reviewed the entire record and finding no plain error, accepts and adopts the report and recommendation filed in this cause.

**IT IS THEREFORE ORDERED** that the Report and Recommendation of the United States Magistrate Judge filed in this cause (Clerk's Document No. 46), is hereby ACCEPTED AND ADOPTED by this court.




**IT IS FURTHER ORDERED** that Defendant (1) DANIEL LOPEZ's term of supervised release is hereby REVOKED.

**IT IS FURTHER ORDERED** that Defendant (1) DANIEL LOPEZ be imprisoned for THREE (3) months with a term of supervised release. Upon Defendant's release from custody, he shall be placed on a new term of supervised release, until May 15, 2025. This term of supervised release shall contain all of the conditions as imposed in Defendant's original term of supervised release, as well as the following requirement:

The defendant shall participate in the Location Monitoring Program for the term of

supervised release, which will include remote location monitoring using Active Global Positioning Satellite (GPS) tracking. The defendant shall abide by the rules and regulations of the Participant Agreement Form. During this time, the defendant shall remain at the place of residence except for employment and other activities approved in advance by your probation officer. At the instruction of the probation officer, the defendant shall wear a transmitter and be required to carry a tracking device. The defendant shall pay for the costs of the program if financially able (Clerk's Document No. 46).

Signed this 26th day of March, 2025.

  
ALAN D ALBRIGHT  
UNITED STATES DISTRICT JUDGE